

Dash Cam and BWC footage

From : Peter Stackpole <Peter.Stackpole@cincinnati-oh.gov>

Thu, Apr 18, 2019 12:07 PM

2 attachments

Subject : Dash Cam and BWC footage

To : Brian C. Shrive <Brian@finneylawfirm.com>

Cc : Christopher P. Finney
<Chris@finneylawfirm.com>

Brian,

As you know, CPD records admitted failing to link two additional BWC videos that should have been produced to you. Those videos were deleted from the AXON storage according to the 90-day retention schedule for BWC footage.

Regrettably, I have recently learned that when MVR footage was produced to your office in January, you were provided with only the primary responding officer's cruiser footage. You and Chris informed me that additional cruisers were present and that their MVR footage should be produced. I checked with CPD records, and after reviewing the BWC footage, CPD records found five other cruisers in addition to the primary officer's cruiser. Because D3 only produced the primary officer's MVR footage, the other footage was automatically deleted from storage after 90 days.

For these seven events, the City of Cincinnati offers to pay the statutory maximum per incident fine of \$1,000 for each instance of destruction, or a total of \$7,000. We will address these issues internally, through training and other means, so that this type of problem does not occur in the future.

Thanks,
Pete



Peter J. Stackpole
Deputy City Solicitor
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From: Stackpole, Peter <Peter.Stackpole@cincinnati-oh.gov>
Sent: Wednesday, June 19, 2019 2:44 PM
To: Christopher P. Finney <Chris@finneylawfirm.com>
Cc: Brian C. Shrive <Brian@finneylawfirm.com>
Subject: Isham/Edwards

SETTLEMENT DISCUSSION SUBJECT TO EVIDENCE RULE 408

Chris,

Thanks for your presuit settlement demand for this incident. Please extend my personal regret to your clients that this incident happened. It should not have. I'm enormously disappointed with the retired police officer who mistakenly reported this incident as a forced breaking and entering. Had he not mistakenly (giving the benefit of the doubt) reported this event, none of this would have happened. That said, I am grateful that no one was injured, the detention didn't last long, and no one was transported to the Justice Center.

Your clients should know that I intend bring the facts of this case to CPD administration for action. I want the officers to understand the ways in which this was poorly handled.

To resolve this presuit claim, the City will offer your clients \$20,000 each. We will pay your attorney fees of \$23,000. Considering the limited duration of this incident, and the fact that no one was injured or transported to the Justice Center, I hope you will agree that the City's response to your settlement demand is fair.

Please let me know how your clients would like to proceed.

Thanks,
Pete



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